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Chin letter told wife no appeal for spying

By Pam McClintock
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Federal prosecutors yesterday said that Larry Wu-Tai Chin, who committed suicide in a jail cell after being found guilty of espionage, stated in a last letter to his wife that he did not want to appeal the conviction and that he was ready to serve his sentence.

Attorneys for Chin, who committed suicide Feb. 21 in the Prince William County Detention Center, asked that the conviction be vacated in papers filed with the court earlier this week.

But, in a brief filed in U.S. District Court in Alexandria, Assistant U.S. Attorney Joseph J. Aronica said the case should remain closed and asked the court to deny the request that the conviction be vacated on the grounds that Chin, with his death, lost the right to appeal.

"We believe that the order ending the case was correct and should not be reconsidered. It is a matter of common sense that, after a defendant dies, no action by an earthly court can affect him one way or the other," said Mr. Aronica.

The letter written by Chin to his wife, Cathy, the day of the suicide was filed under seal yesterday by the government. The government, however, refers to portions of the letter in its brief.

Chin expressly stated in the letter

that he did not want an appeal and that he did not want to be debriefed about his espionage activities while working at the CIA, according to the brief.

"We do not wish to be ghoulish about this matter, nor to inflict pain on Chin's family," Mr. Aronica said in the brief. "At the same time, we are unwilling to surrender Mr. Chin's conviction, a conviction fairly obtained before a jury of his peers.

"Second, Mr. Chin did not simply die; he committed suicide," said Mr. Aronica. "His attorneys are therefore hardly in a position to argue that circumstances beyond the defendant's control were to blame for the loss of the opportunity to appeal."

Tony Fitch, who is an attorney for Chin, said yesterday that he had not seen the government's brief and declined comment.

Judge Robert R. Merhige Jr. is expected to rule on the request to vacate the conviction, but no hearing date has been set.

Chin was to have been sentenced by Judge Merhige next Monday on charges that he sold secrets to China for more than 30 years while working as a mid-level analyst with the CIA. He was convicted by a federal jury Feb. 7 in Alexandria.

During the four-day trial, defense attorneys said that Chin turned the information over to China in an effort to improve relations between that country and the United States.